

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

JUDITH GODINEZ, Individually and  
on Behalf of All Others Similarly  
Situated,

Plaintiffs,

v.

ALERE INC., *et al.*,

Defendants.

Civil Action No. 1:16-cv-10766 (PBS)

**LEAD COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES,  
REIMBURSEMENT OF LITIGATION EXPENSES AND  
COMPENSATORY AWARD FOR LEAD PLAINTIFFS**

Court-appointed co-Lead Counsel Abraham, Fruchter & Twersky, LLP and Entwistle & Cappucci LLP<sup>1</sup> hereby move this Court for entry of an Order awarding Lead Counsel twenty-eight percent (28%) of the \$20,000,000 cash constituting the Settlement Amount,<sup>2</sup> awarding Lead Counsel their expenses incurred in the prosecution of this action, and compensating Lead Plaintiffs Glazer and OFI for their service to the Class.<sup>3</sup> The grounds for this motion are set forth in the contemporaneously filed memorandum of law.

WHEREFORE, Lead Counsel respectfully request that the Court award Lead Counsel, collectively, \$5,600,000 in attorneys’ fees, award Lead Counsel \$792,081.56 in litigation expenses, and award each of Glazer and OFI \$30,000, to be paid out of the Settlement Fund.

---

<sup>1</sup> Pursuant to the Court’s order preliminarily approving the Settlement (ECF No. 265), Lead Counsel serve as Class Counsel for the Settlement Class.

<sup>2</sup> Capitalized terms used herein and not otherwise defined herein have the meanings provided in the Stipulation (ECF 256).

<sup>3</sup> Glazer and OFI have been appointed representatives of the Settlement Class. (ECF No. 265.)

Dated: May 2, 2019

Respectfully submitted,

/s/ Adam M. Stewart

Adam M. Stewart (BBO#661090)

astewart@shulaw.com

Edward F. Haber (BBO#215620)

ehaber@shulaw.com

**SHAPIRO HABER & URMY LLP**

Seaport East

Two Seaport Lane

Boston, MA 02210

(617) 439-3939

*Plaintiffs' Liaison Counsel*

**ABRAHAM, FRUCHTER  
& TWERSKY, LLP**

Jeffrey S. Abraham (admitted *pro hac vice*)

jabraham@aftlaw.com

Lawrence D. Levit (admitted *pro hac vice*)

llevit@aftlaw.com

Todd Kammerman (admitted *pro hac vice*)

tkammerman@aftlaw.com

One Penn Plaza, Suite 2805

New York, New York 10119

Telephone: (212) 279-5050

Facsimile (212) 279-3655

**ENTWISTLE & CAPPUCCI LLP**

Vincent R. Cappucci (admitted *pro hac vice*)

vcappucci@entwistle-law.com

Robert N. Cappucci (admitted *pro hac vice*)

rcappucci@entwistle-law.com

Brendan J. Brodeur (BBO#675353)

bbrodeur@entwistle-law.com

299 Park Avenue, 20<sup>th</sup> Floor

New York, NY 10171

Telephone: (212) 894-7200

Facsimile: (212) 894-7272

*Lead Counsel for Lead Plaintiffs and the Settlement Class*

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") on this second day of May 2019.

/s/ Adam M. Stewart

Adam M. Stewart